



Response under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 3600

PATENT
ATTORNEY DOCKET NO. 053837-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Richard WISE)	Confirmation No. 4205
Application No.: 09/985,952)	Group Art Unit: 3653
Filed: November 6, 2001)	Examiner: J. Rodriquez
For: APPARATUS AND METHOD FOR)	Mail Stop AF
ISOLATING MATERIALS)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

RECEIVED
JUN 16 2004
GROUP 3600

Sir:

AMENDMENT TRANSMITTAL FORM

- Transmitted herewith is an Amendment responding to the Office Action dated March 10, 2004.
- Additional papers enclosed:

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | English-language translation of German Patent No. 3111387 |
| <input type="checkbox"/> | Submission of Replacement Formal Drawings with 6 sheets of drawings. |
| <input type="checkbox"/> | Information Disclosure Statement |
| <input type="checkbox"/> | Form PTO-1449, ____ references included |
| <input type="checkbox"/> | Citations |
| <input type="checkbox"/> | Declaration of Biological Deposit |
| <input type="checkbox"/> | Replacement/Clean Copy of Specification |

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$_____.

☒ If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	8	minus	57	0	x \$9 each=	+ \$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	11	0	x \$43 each=	+ \$ 0.00
[] First presentation of Multiple dependent claim(s)					\$145.00	+ \$ 0.00
SUB-TOTAL =						\$ 0.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE =						\$ 0.00

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge \$ for extension of time fee due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: David B. Hardy
Reg. No. 47,362Dated: June 10, 2004

CUSTOMER NO. 09629
MORGAN, LEWIS & BOCKIUS LLP
 1111 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
 Telephone: (202) 739-3000